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January 21, 2022

Via ECF

Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
NY, NY 10007

APPLICATION GRANTED
SO ORDERED 
VERNON S. BRODERICK
U.S.D.J. 01/24/2022

Re: *Resurrect by Night LLC v. Philipp Plein Americas, Inc., et al.*, No.1:21-cv-04948 (VSB), Request for Extension to File Default Judgment Against Defendants

Dear Judge Broderick:

We represent the Plaintiff in the above-referenced matter. The case was filed on June 4, 2021. To date, none of the Defendants have appeared or answered. This is a copyright infringement case. Per Plaintiff's complaint, the Defendants manufacture, advertise and sell a wide array of clothing that infringes upon two of Plaintiff's copyrighted designs. The Defendants advertise and sell the infringing products on multiple online platforms, reaching a worldwide audience. On October 26, 2021, the Court granted Plaintiff's request for a ninety-day extension to file an order to show cause for a default judgment in this matter. We write today to request an additional ninety-day extension to file an order to show cause for a default judgment, for the reasons discussed below.

In early November 2021, counsel for Defendant Philipp Plein International AG contacted our office, and we began settlement talks. The Parties have conducted several discussions but have not yet been able to resolve the matter. We believe the extension of time would be beneficial in our continued discussions. Should the settlement talks fail, the 90-day extension would give Plaintiff time to conclude any non-party discovery needed to file a damages assessment as part of a default judgment filing.

We thank Your Honor in advance for your attention to this matter.

Respectfully submitted,

/s/ Christopher M. Van de Kieft

Christopher M. Van de Kieft